

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARLYLE AVIATION MANAGEMENT LIMITED, ACCIPITER INVESTMENTS AIRCRAFT 4 LIMITED, VERMILLION AVIATION (TWO) LIMITED, ACCIPITER HOLDINGS DAC, MAVERICK AVIATION HOLDINGS LTD., MANCHESTER AVIATION FINANCE S.à r.l., WELLS FARGO TRUST COMPANY, N.A., not in its individual capacity but solely in its capacity as OWNER TRUSTEE, UMB BANK, N.A., not in its individual capacity but solely in its capacity as OWNER TRUSTEE,

Plaintiffs,

v.

FRONTIER AIRLINES, INC.

Defendant.

Case No.: 1:23-cv-04774 (PAE)

NOTICE OF MOTION TO DISMISS DEFENDANT’S AMENDED COUNTERCLAIM

PLEASE TAKE NOTICE that, upon the memorandum of law submitted herewith, Plaintiffs-Counterclaim Defendants Carlyle Aviation Management Limited (“CAML”), Accipiter Investments Aircraft 4 Limited (“Accipiter”), Vermillion Aviation (Two) Limited (“Vermillion”), Accipiter Holdings DAC (“Accipiter Holdings”), Maverick Aviation Holdings Ltd. (“Maverick”), Manchester Aviation Finance S.à r.l. (“Manchester”), UMB Bank, N.A., not in its individual capacity but solely in its capacity as Owner Trustee (“UMB Trustee”), and Wells Fargo Trust Company, N.A., not in its individual capacity but solely in its capacity as Owner Trustee (“WF Trustee”) (collectively, “Plaintiffs”), hereby move this Court, before the Honorable Paul A. Engelmayer, United States District Judge for the Southern District of New York, 40 Foley Square, Courtroom 1305, New York, New York 10007, for an order pursuant to Rule 12(b)(6) of the

Federal Rules of Civil Procedure dismissing Defendant's amended counterclaim asserted in Defendant's amended answer to Plaintiffs' Complaint, and granting such further relief as the Court deems just and proper.

Dated: September 27, 2023
New York, New York

MILBANK LLP

/s/ Jed M. Schwartz

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